BOARD OF NURSING TEXAS
I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED
Vocational Nurse License Number 227112	§	
issued to OLUBUNMI NURATU ADEFOLARIN	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Bo considered the matter of OLUBUNMI NURATU ADEFOLARIN, Vocational Nurse License Number 227112, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on October 4, 2017.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).

2. Respondent waived notice and hearing, and agreed to the entry of this Order.

3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.

4. Respondent received a Certificate in Vocational Nursing from Health Management, Inc., Washington, DC, on September 4, 2009. Respondent was licensed to practice vocational nursing in the State of Maryland on September 9, 2009, and was licensed to practice vocational nursing in the State of Texas on February 25, 2010.

5. Respondent's nursing employment history includes:

9/2009 - 12/2009	Licensed Vocational Nurse	Lake Lodge Nursing and Rehabilitation Home Fort Worth, Texas

Respondent's nursing employment history continued:

6/2009 - 5/2011	Licensed Vocational Nurse	Colonial Heritage Nursing Home Cleburne, Texas
6/2011 - 1/2017	Licensed Vocational Nurse	PSA Dallas, Texas
3/2011 - Present	Licensed Vocational Nurse	VIVA Pediatrics and Home Health Services Dallas, Texas

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with PSA Healthcare, Dallas, Texas, and assigned as a Private Duty Nurse at James Delaney Elementary School, Kennedale, Texas, and had been in that position for five (5) years and five (5) months.

7. On or about November 2016, while employed as a Licensed Vocational Nurse for PSA Healthcare, Dallas, Texas, and assigned as a Private Duty Nurse for Student M.E. at James Delaney Elementary School, Kennedale, Texas, Respondent failed to ensure a safe environment for the patient by failing to appropriately buckle the patient in the wheelchair. Respondent's conduct unnecessarily exposed the patient to risk of harm or injury.

8. On or about January 2017, while employed as a Licensed Vocational Nurse for PSA Healthcare, Dallas, Texas, and assigned as a Private Duty Nurse for Student M.E. at James Delaney Elementary School, Kennedale, Texas, Respondent performed the Heimlich Maneuver when the patient was choking on a carrot, and failed to document the incident in the patient's medical record. Respondent's conduct resulted in an incomplete medical record.

9. On or about January 5, 2017, while employed as a Licensed Vocational Nurse for PSA Healthcare, Dallas, Texas, and assigned as a Private Duty Nurse for Student M.E. at James Delaney Elementary School, Kennedale, Texas, Respondent failed to timely intervene for the patient and activate 911 when the student exhibited onset seizure-like activity. Emergency Medical Services were called fifty-two (52) minutes after seizure-like activity began. Respondent's conduct exposed the student to the risk of harm from complications related to seizure-like activity, including neurological damage and further seizures.

10. In response to the incident in Finding of Fact Number Seven (7), Respondent states when the patient finished feeding, she unbuckled the wheelchair in order to flush, then the patient slid out of the wheelchair. Respondent states the patient hit his hands and right arm hit the pedestal. Respondent states she does take responsibility for this incident, and she notified the patient' mother of the incident and PSA was notified by phone. In response to the incident in Finding of Fact Number Eight (8), Respondent states she remembers documenting this

incident into SHINE, and notifying PSA of the incident. In response to the incident in Finding of Fact Number Nine (9), Respondent admits she failed in calling 911 herself, because she was holding the patient in the nurse's office while communicating with the parent on speaker phone and when the parent instructed to call 911, the school nurse called 911.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.

2. Notice was served in accordance with law.

3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(D),(1)(M)&(1)(P) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 227112, heretofore issued to OLUBUNMI NURATU ADEFOLARIN.

5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **WARNING WITH STIPULATIONS** in accordance with the terms of this Order.

A. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

B. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

C. As a result of this Order, Respondent's license(s) will be designated "single state" and Respondent may not work outside the State of Texas in another nurse licensure compact party state.

II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Order.

III. UNDERSTANDING BOARD ORDERS

Within thirty (30) days of entry of this Order, RESPONDENT must successfully complete the Board's online course, "Understanding Board Orders," which can be accessed on the Board's website from the "Discipline & Complaints" drop-down menu or directly at: *http://www.bon.texas.gov/UnderstandingBoardOrders/index.asp*. Upon successful completion, RESPONDENT must submit the course verification at the conclusion of the course, which automatically transmits the verification to the Board.

IV. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated**:

A. **A Board-approved course in Texas nursing jurisprudence and ethics** that shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. Home study courses and video programs will not be approved.

B. **A Board-approved course in nursing documentation** that shall be a minimum of six (6) hours in length. The course's content shall include: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. Home study courses and video programs will not be approved.

C. **The course "Sharpening Critical Thinking Skills,"** a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.*

V. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse in the State of Texas, providing direct patient care in a clinical healthcare setting, for a minimum of sixty-four (64) hours per month for four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) quarterly periods of employment as a nurse have elapsed. Periods of unemployment or of employment that do not require the use of a registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement.

A. **Notifying Present and Future Employers**: RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.

B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.

C. **Incident Reporting:** RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.

D. **Nursing Performance Evaluations:** RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the individual who supervises the RESPONDENT and these reports shall be submitted by the supervising individual to the office of the Board at the end of each three (3) month quarterly period for four (4) quarters [one (1) year] of employment as a nurse.

VI. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 23 day of February, 2018.

Olubunmi Adefolarin

OLUBUNMI NURATU ADEFOLARIN, Respondent

Sworn to and subscribed before me this 23 day of February, 2018.

SEAL

ADALBERTO RESENDIZ
Notary Public
STATE OF TEXAS
My Comm. Exp. 04-19-19

Adalberto Resendiz

Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 23rd day of February, 2018, by OLUBUNMI NURATU ADEFOLARIN, Vocational Nurse License Number 227112, and said Order is final.

Effective this 19th day of April, 2018.

Katherine A. Thomas, MN, RN, FAAN
Executive Director on behalf
of said Board